



Image 11/2/04

QP 2872

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In RE: Application No.: 09/853,790
Filing Date: May 11, 2001
Inventor: Stanley H. Kremen
Confirmation No.: 7098
Examiner: Alessandro V. Amari
Group Art Unit: 2872
Docket No.: 102105-162-CIP1
Office Action Dated: December 16, 2003

REPLY TO OFFICE ACTION

PROVISIONAL ELECTION AND PRELIMINARY AMENDMENT

Dear Sir:

Receipt of your Office Action dated December 16, 2003 is hereby acknowledged. In that Office Action, the Examiner acknowledged the Applicant's provisional election of Species 3. However, based upon the claim amendments submitted with said provisional election, the species designations prompting said provisional election appear to be no longer valid. Consequently, the Examiner issued a new restriction requiring a further election based upon the following combinations and sub-combinations:

LINKING Claims 1 and 36-39.
I. Claims 2-11 and 40, drawn to a method of making holograms with positioning specifics classified in class 359 subclass 1.

- II. Claims 12-22, drawn to a method of making holograms with specifics of the exposure process, classified in class 359, subclass 25.
- III. Claims 23-29, drawn to a method of making holograms including diffusing screens and lens specifics, classified in class 359, subclass 1.
- IV. Claims 30-35, drawn to a method of making holograms with including means for reconstruction of pseudoscopic image, classified in class 359, subclass 22.

A provisional election is hereby made to subcombination II. Based upon statements by the Examiner, Applicant understands that the Examination shall proceed in the following manner:

1. LINKING claims 1 and 36-39 as amended are included in the election along with claims 12-22 of subcombination II as amended.
2. If the linking claim(s) should be allowed, the restriction requirement as to the linked inventions would be withdrawn, and any claim(s) depending from or otherwise including all the limitations of the allowable linking claim(s) would be entitled to examination in the present application.
3. If any of the linking claim(s) should not be allowed, thereby converting the provisional election into an actual election, and a subsequent amendment places said linking claim(s) into a condition for allowance, the restriction requirement as to the linked inventions would be withdrawn, and rejoinder of the non-elected claim(s) into the present application will be permitted.

This new restriction/election requirement presents the Applicant with a dilemma. The linking claims were drafted as a narrowing amendment subsequent to the first restriction/election requirement of November 20, 2002 so as to maintain the application as a single invention. Although the claims can be divided as the Examiner has done, it is not that the inventions that they claim can be used together but also can be used separately. They were crafted so as to enable preparation of a coordinated and complementary set of holograms that need to be used together. The objective of the invention is to produce a single system for recording and projecting three-dimensional images. For example, the front projection screen of claim 12 produces magnified three-dimensional images that are pseudoscopic. However, audiences want to see the orthoscopic images produced by the method of claim 33. Therefore, the inventions of claims 12 and 33 would always be used together. The sub-combinations designated by the Examiner should not be used separately since they create a single system. Accordingly, the Applicant requests that the Examiner reconsider his requirement for restriction.

As an alternative, the Applicant requests that should the necessary linking claim(s) not be allowable, the Examiner grant the Applicant the opportunity of a personal interview subsequent to the Examiner's search of the prior art, but prior to the following Office Action. The purpose of such an interview would be to amend the linking claim(s) (as well as any other claims requiring amendment), and to move the present application into a condition for allowance in its entirety.

Additionally, the Applicant is amending all of the claims by preliminary amendment. The purpose of amending the claims is to clarify them, to make them compliant with the second paragraph of 35 U.S.C. § 112 (e.g., removing indefinite terms), to make them more concise, and to correct grammatical and spelling errors. After amendment of the claims, three of them appeared to be redundant. Consequently, the Applicant cancels claims 11, 26, and 27. The contents of the remaining claims are the same, and no new matter has been introduced. The Applicant believes that he has complied with all of the requirements of the first paragraph of 35 U.S.C. § 112. The sub-combination groupings designated by the Examiner remain in tact.

The claim amendments are extensive, and the Applicant is keeping them as amended claims rather than canceling all claims and rewriting them. This is being done so that the Examiner can see the claim evolution. However, using the new claim amendment procedures, the markings may be somewhat confusing. Therefore, to assist the Examiner as well as other Office personnel, the Applicant has submitted a set of unmarked clean amended claims to be used for reference only, even though such submission is not required.

Finally, the Applicant wishes to thank the Examiner for the assistance he provided during several telephone conversations regarding this application.

Thank you for your kind attention.

Respectfully submitted,



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		EXAMINER: Alessandro V. Amari
		ART UNIT: 2872
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CONTENTS:

1. This cover sheet (1 page)
2. Letter dated January 9, 2004 (3 pages)
3. Amendments to the Claims (13 pages)
4. The Unmarked Clean Amended Claims (for reference only) (9 pages)
5. Return receipt postcard

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